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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/001,744      | 10/31/2001  | John Falk Kelley     | AUS920010748US1     | 2721             |

7590 08/10/2004  
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EXAMINER

TRUONG, CAM Y T

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2172

DATE MAILED: 08/10/2004

3

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/001,744

Applicant(s)

KELLEY ET AL.

Examiner

Cam Y T Truong

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) 13-15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

**DETAILED ACTION**

1. Claims 1-15 are pending in this Office Action.

***Election/Restrictions***

2. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-12 are drawn to displaying a context Pane, classified in class 345, subclass 738.
  - II. Claims 13-15 are drawn to receiving a user-selected web page links classified in class 707, subclass 102.
3. Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, displaying a context pane in invention I can be used to allow a user select any information. Receiving user-selected web page links in invention II can be used in retrieving information based on user's selection. See MPEP § 806.05(d).
4. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one

or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

6. During a telephone conversation with David A. Mims, Jr. on 2/20/04 a provisional election was made without traverse to prosecute the invention of group I, claims 1-12. Affirmation of this election must be made by applicant in replying to this Office action. Claims 13-15 withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

((e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

8. Claims 1-4, 6, 7-10, 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Katinsky et al (or hereinafter "Katinsky") (USP 6452609).

Claims 1 and 7, Katinsky teaches the claimed limitations:

"displaying a Context Pane having one or more selectable objects of interest to a user" as displaying a media access web page 10 contains objects that can be selected by a user for viewing (fig. 1, col. 7, lines 15-20; col. 8, lines 50-65);

"displaying one or more selectable actions associated with an object and responsive to user selection of an associated object" as when a user selects one of the media icons 30 in the sequence by clicking on it to make it the current media icon 52. Each media icon is represented as media object (figs. 3A-4, col. 5, lines 9-11; col. 4, lines 50-52);

"executing an action script in response to user selection of a selectable action, said action script generating a set of results" as the web page contains the program that displays controls, responds to user events. Thus, when a user selects one of media icons 30 in the sequence by clicking on it to make it the current media icon 52, the system has to execute an action program in response to user's selection. A program is script (figs. 3A-4, col. 5, lines 9-11; col. 4, lines 50-52);

“displaying to said user said action script results in a Content Pane” displaying a bulleted list containing bulleted items 26 after clicking on a subject matter tab 22 in content pane 12 (fig. 2A, col. 4, lines 30-35),

“said Content Pane containing an aggregation of semi-independent information or transactional modules” as the content pane 12 contain an aggregation of semi-independent information such as Business, Entertainment, News, Sports (fig. 2A; col. 4, lines 30-35).

As to claims 2 and 8, Katinsky teaches the claimed limitation “performing a search for information related to said selected object” as after clicking on a tab or outline line in the new media icon access panel 12 generates an SQL query of the interface database 1012 which returns a record set containing the elements to be displayed and the format. This information implies that the system performs a search for records related to the tab or outline. A tab or outline in the new media icon is represented as an object (col. 11, lines 15-20).

As to claims 3 and 9, Katinsky teaches the claimed limitation “retrieving data or information from a database” as (col. 11, lines 15-20).

As to claims 4 and 10, Katinsky teaches the claimed limitation “the step of retrieving current data or information from a datafeed” as after clicking on a tab or outline line in the new media icon, access panel 12 generates an SQL query of the

interface database 1012 which returns a record set containing the elements to be displayed and the format. This information implies that the system retrieves a record set containing the elements from database 1012 to display to a user (col. 11, lines 15-20).

As to claim 6, Katinsky teaches the claimed limitation "organizing said content pane into a plurality of selectable workspaces" as (figs. 2C-5).

As to claim 12, Katinsky teaches the claimed limitation "organizing said content pane into a plurality of selectable workspace" as (fig. 2A-2B; col. 4, lines 37-50).

### ***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 5 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katinsky in view of Nikolovska (USP 6452609).

As to claims 5 and 11, Katinsky disclose the claimed limitation subject matter in claim 1, except the claimed limitation "filtering and sorting said results prior to display".

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Nikolovska teaches the user views and selects among the results of the search, which is a result of the sorting, filtering, and profiling information (col. 2, line 25-26).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Nikolovska's teaching of using a text query to filter and sort records in its database representing entry points to WWW into Katinsky's system in order to eliminate irrelevant information and display results in a visually clear and simple way.

### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bowman-Amuah (USP 6640249).



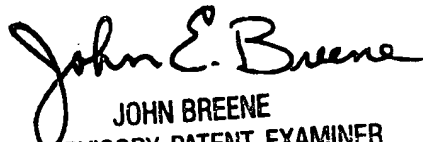
**Contact Information**

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam-Y Truong whose telephone number is (703-605-1169). The examiner can normally be reached on Mon-Fri from 8:00AM to 4:00PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on (703-305-9790). The fax phone numbers for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-3900).

Cam-Y Truong

3/1/04

  
JOHN BREENE  
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